

MINUTES

TRAVERSE CITY PLANNING COMMISSION

WEDNESDAY, October 7, 2014

7:30 P.M.

**Commission Chambers
Governmental Center, 2nd Floor
400 Boardman Avenue
Traverse City, Michigan 49684**

PRESENT: Vice-Chairperson Jody Bergman, Commissioners Michael Dow, Jeanine Easterday, Janet Fleshman, Cecil McNally, Chairperson John Serratelli, Bill Twietmeyer, Janice Warren and Tim Werner

ABSENT: None.

STAFF PRESENT: Russ Soyering, Planning Director; Missy Luick, Planning and Engineering Assistant; Jered Ottenwess, City Manager; Lauren Tribble-Laucht, City Attorney; Rob Bacigalupi, Downtown Development Authority

1. CALL MEETING TO ORDER- Chairperson Serratelli called the meeting to order at 7:30 p.m.

2. ROLL CALL

3. ANNOUNCEMENTS- None.

4. CONSENT CALENDAR

The purpose of the consent calendar is to expedite business by grouping non-controversial items together to be dealt with by one Commission motion without discussion. Any member of the Commission, staff or the public may ask that any item on the consent calendar be removed therefrom and be placed elsewhere on the agenda for full discussion. Such requests will be automatically respected. If an item is not removed from the consent calendar, the action noted in parentheses on the agenda is approved by a single Commission action adopting the consent calendar.

- A.** Approval of Minutes: September 3, 2014 Regular Meeting, September 5, 2014 Study Session and September 16, 2014 Special Meeting minutes (Approval recommended)
- B.** Oakwood Cemetery Maintenance Building- Review for Consistency with Master Plan (Approval recommended)
- C.** Bayshore Corridor Resolution (Approval recommended)

Motion by Commissioner Twietmeyer, second by Commissioner McNally, that the Consent Calendar be approved as presented.

Motion carried 9-0.

5. OLD BUSINESS

A. Grand Traverse County Master Plan (John Sych)

Grand Traverse County Planning Director, John Sych, distributed final copies of the Grand Traverse County Master Plan to the Commission and thanked them for their participation in the master planning efforts for the county.

B. Public Hearing to consider a Special Land Use Permit request and Site Plan Review request by W. Keith Owen of Owen Architects Collaborative, LLC on behalf of Federated Properties, LLC to allow for a taller building at 124 W. Front Street

Mr. Soyring explained the request from W. Keith Owen of Owen Architects Collaborative, LLC on behalf of Federated Properties, LLC for a Special Land Use Permit for a taller building and Site Plan Approval at 124 W. Front Street. The proposal is to build a five-story mixed use development with a single driveway access from Front Street. The proposed development will include lower level parking, first floor commercial and residential; and residential use on floors two through five (for a total of 47 residential units). The site is currently vacant. In 2007, the former Grand Traverse Auto building was demolished and the site was prepared for construction of a new building.

Mr. Soyring explained that a building up to 60 feet in height is allowed by right in this location and a taller building of up to 68 feet in height is allowed by Special Land Use Permit if at least 20% of the building is designed and used for dwellings.

Mr. Soyring reminded the Commission that the decision to approve or disapprove a SLUP request by the Planning Commission must be based on the zoning code standards. If the proposal meets the standards, the request must be approved.

Mr. Soyring summarized Staff Report 14-SLUP-02 dated October 3, 2014 and Staff Report 14-SPR-01 dated October 3, 2014 including the conditions stated in both staff reports. Staff is recommending approval of both the Special Land Use Permit and Site Plan Review with conditions (and the conditions are the same in both staff reports).

Commission discussion included adding a condition of including windows on the west building façade and modifying condition #6 requiring audio and visual devices for the driveway outlet onto Front Street.

Rob Bacigalupi, Downtown Development Authority Executive Director, addressed the Commission.

W. Keith Owen, design architect and applicant for 124 W. Front Street, addressed the Commission and presented a computer model depicting the proposed building. Commission discussion.

A Public Hearing was opened. The following individual made public comment during the Public Hearing:

- Rick Buckhalter, 932 Kelly Street, made general comments

The Public Hearing was closed.

Motion by Commissioner McNally, second by Commissioner Warren, that the request by W. Keith Owen of Owen Architects Collaborative, LLC on behalf of Federated Properties, LLC for a Special Land Use Permit and Site Plan Review to allow for a taller building at 124 W. Front Street be approved with conditions as outlined in the Staff Report 14-SLUP-02 dated October 3, 2014 and Staff Report 14-SPR-01 dated October 3, 2014 with the deletion of "or" on condition #6 and that an additional condition be added that would read: windows on the west side shall reflect the general window pattern in the submittal on the west elevation; and further that the Planning Commission's recommendation be forwarded to the City Commission for their consideration.

Motion carried 8-1 (Commissioner Bergman opposed).

- C. Public Hearing to consider a Special Land Use Permit request by Peter Starkel on behalf of Safe Harbor of Grand Traverse, Inc. to allow for an Emergency Shelter at 517 Wellington Street, a property owned by the City of Traverse City

Mr. Soyering briefly explained the request from Peter Starkel on behalf of Safe Harbor of Grand Traverse, Inc. for a Special Land Use Permit to allow for an Emergency Shelter at 517 Wellington Street, a property owned by the City of Traverse City. The proposal is to renovate the existing building to operate a 90-bed emergency shelter that will be open from November to April each year, from 6:00 p.m. to 8:00 a.m. daily. The building is currently under lease with the Traverse City Film Festival as a storage facility. The property is zoned D2 (Development District) which allows Transitional housing and Emergency shelters by Special Land Use Permit.

Mr. Soyering summarized the Staff Report dated October 2, 2014 and outlined how the proposed use meets the general and specific standards within the Special Land Use Permit chapter sections 1364.02 *General Standards for Approval* and 1364.08 (q) *Transitional Housing and Emergency Shelters*. He noted that a revised site plan from the applicant was turned in late and the staff report on pages 3 and 7 should be modified to state that the site

plan shows 21 parking spaces. Staff is recommending approval of the Special Land Use Permit with conditions.

Commissioner McNally recused himself from the discussion and left the meeting at 8:25 p.m.

Commission discussion included striking the words "by the applicant" on condition #5. Condition 5, as amended, reads, "The stormwater drainage for the site and adjacent street and alleys shall be evaluated to determine if there are any negative issues related to drainage and if so, remedies are implemented to properly address the drainage issues."

Commission discussion included concern with the language identified in condition #7 and desired clarification. The City Attorney provided an amended Condition 7 that reads, "The Special Land Use Permit will remain valid so long as the building is occupied by the applicant and used in compliance with the Special Land Use Permit."

Commission discussion included adding the words "beyond ninety (90) beds" to condition #2. Condition 2, as amended reads, "The Operations Plan dated September 2014 is implemented and followed. Minor operational changes such as meal times, facility locked times, training program adjustments and alike are permissible for good cause. Changes in the number of beds beyond ninety (90) beds, length of the seasonal operation, staffing levels below the stated minimums and alike are considered major changes that will require to following the procedures for a "Major amendment" to the Special Land Use Permit."

Commission discussion indicated concerns with conditions 2 and 4.

Christie Minervini, fundraising chair for Safe Harbor of Grand Traverse, addressed the Commission.

Commission discussion also included the desire to insert the sections titled "community outreach" and "crime prevention plan" that were part of the September 16, 2014 Planning Commission Operations Plan submittal. An additional condition was added to read in full, "The sections of the Operations Plan Written Management Plan (Attachment D) dated September 2014 shall include sections entitled "Community Outreach" and "Crime Prevention Plan" that were part of the application submittals that were included in the City Planning Commission's September 16, 2014 packet."

Ms. Minervini addressed the Commission.

Additional commission discussion.

A Public Hearing was opened. The following individuals made public comment during the Public Hearing:

- Rick Buckhalter, 932 Kelly Street, made general comments
- George Golubovskis, 325 Washington Street, made general comments
- John Fiebing, 750 Centre Place, made comments in support
- Tomm Emmit, 1702 Lincoln Street, made comments in support
- Lisa Brown, 1024 West Front Street, made comments in support
- Ashley Walter, 605 Fifth Street, made comments in support
- Kristen Younger, 419 W 8th Street, made comments in support
- Homer Nye, 228 S. Spruce Street, made comments in support
- Dale Hunt, business owner at 522 E 8th Street, made comments in opposition
- Richard Kuchell, 500 Webster, city resident and city business owner, made comments in opposition
- Justin Reed, 630 Cottageview Drive, made comments in support
- Michael Walman, 261 Midtown, made general comments
- Lee Storch, 813 Floresta, non-city resident, made comments in support
- John Stewart, 3366 Summerleaf, city property owner on 8th Street, made general comments
- Karen McCarthy, 908 S. Union Street, made comments in support
- Amanda Craigs, business owner at 531 E. 8th Street, made comments in opposition
- Tom Krause, non-city resident, business owner on 8th Street, made general comments
- Tina Allen, non-city resident, made general comments
- John Scrudato, 422 E. State Street, made comments in opposition
- Vince Malloney, 730 Centre Place, made comments in opposition
- Staten Laurens, 10607 S Monaco Way, non-city resident, made comments in support
- Carol Botsell, 2565 Old Barn Road, made comments in support
- Nicole Russo, 864 E. State Street, made comments in support
- Christine Walsh, 2175 Gary Road, made comments in support
- Jan Chapman, 118 E. 12th Street, made comments in support
- Elaine Malloney, 730 Centre Place, made comments in opposition
- Rebecca Garland, 1049 Fairlane, made general comments
- Charlene Hunt, commercial property owner at 522 E. 8th Street, made comments in opposition
- Ryan Hannon, Goodwill Street outreach coordinator, 2279 S. Airport Road, made general comments

The Public Hearing was closed.

Commission discussion included comments related to management plan cost estimates.

Ms. Minervini addressed the Commission.

Commission discussion.

Motion by Commissioner Warren, second by Vice-chairperson Bergman, that the Special Land Use Permit request by Peter Starkel on behalf of Safe Harbor of Grand Traverse, Inc. to allow for an Emergency Shelter at 517 Wellington Street, a property owned by the City of Traverse City, be approved with conditions as outlined and amended in the Staff Report 14-SLUP-03 dated October 2, 2014; and further that the Planning Commission's recommendation be forwarded to the City Commission for their consideration.

Motion carried 5-3 (Commissioners Dow, Fleshman, Twietmeyer opposed, Commissioner McNally recused).

Commissioner McNally rejoined the meeting at 10:47 p.m.

6. NEW BUSINESS- None.

7. CORRESPONDENCE –None.

8. REPORTS

- A.** City Commission- Commissioners Easterday reported.
- B.** Board of Zoning Appeals- No report.
- C.** Grand Traverse Commons Joint Planning Commission- No report.
- D.** Planning Commission
 - 1. Housing Building Committee— No report.
 - 2. Active Transportation Committee—Commissioner Werner reported.
 - 3. Master Plan Review Committee—No report.
 - 4. Parking Regulation Committee- No report.
- E.** Planning Department—Mrs. Luick reported that Redevelopment Ready Community trainings in Traverse City will occur on November 5-6. The Grand Traverse County Planning Awards banquet is on November 6 in the evening. Any Planning Commissioner may attend both programs by letting staff know. Also Networks Northwest would like comments on the Frameworks for our Future Regional Prosperity Plan by December 1.
 - 1. Capital Improvement Program—Mrs. Luick reported that a revised Capital Project list was distributed that now includes projects in fiscal year 16/17.

PLANNING COMMISSION
REGULAR MEETING MINUTES
OCTOBER 7, 2014
Page 7

9. PUBLIC COMMENT- None.

10. ADJOURNMENT- Meeting was adjourned at 10:51 p.m.

Respectfully submitted,

Date: November 4, 2014

Jan Warren _{RS}
Jan Warren, Secretary